

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Servants - Revenue Department - Allegation of corruption against Sri K.Nanda Kumaraiah while working as Tahsildar, K.V.B.Puram Mandal Chittoor District - Trapped by the A.C.B. Officials on 08-08-2007 - Placed on his defence before the Tribunal for Disciplinary Proceedings - Inquiry Report of the TDP in TEC No.33/2009 submitted -Show cause notice Issued - Explanation submitted - Imposition of punishment of withholding Pension and Gratuity in full permanently under Rule 9 of Andhra Pradesh Revised Pension Rules 1980 - Orders - Issued.

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**REVENUE (VIGILANCE-III) DEPARTMENT**

**G.O.MS.No. 140**

**Dated:23.04.2015.**  
**Read the following:-**

- 1) From the DG, ACB, Letter Rc.No.151/RCT-TCT/2007, Dated: 17.8.2007.
- 2) Government Memo No.43822/Vig.II(1)/07-2, dt.30.04.2008.
- 3)From the Secretary, T.D.P., Letter Dis.No.S/20/2011, dt.7.10.2011 with report in TEC.No.33 of 2009,dt.29.9.2011.
- 4) Government Memo.No.44339/Vig.II(1)/2011-1, dt:08.12.2011.
- 5) Sri K. Nandakumaraiah, Tahsildar (Retd.), explanation, dt:21.06.2012.
- 6) Govt. Memo No 44339/Vig.II.1/2011 dated 20.02.2014.
- 7) Sri K. Nandakumaraiah, Tahsildar (Retd.), explanation, dt:17.03.2015.

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In the reference 1<sup>st</sup> read above, the Director General, Anti-Corruption Bureau, Hyderabad has reported that Sri K.Nandakumaraiah, Tahsildar, K.V.B.Puram Mandal, Chittoor District, was trapped by the Anti-Corruption Bureau Officials on 08-08-2007 at his residence, when he demanded and accepted bribe amount of Rs.6,000/- from the complainant Sri M. Mukesh, R/o. Anjur village, K.V.B.Puram Mandal for doing an official favour of signing in the original Pattadar Pass Book and Title Deed Book of the complainant. Government, after examination of the matter, decided to place the individual on his defence before the Tribunal for Disciplinary Proceedings to inquire into the allegation of corruption. Accordingly, Sri K. Nanda kumaraiah, Tahsildar has been placed on his defence before the Tribunal for Disciplinary Proceedings to conduct inquiry on the allegation of corruption and submit its report, vide reference 2<sup>nd</sup> read above.

2. In the reference 3<sup>rd</sup> read above, the Tribunal for Disciplinary Proceedings after conducting enquiry, furnished report in TEC No. 33/2009 against Sri K. Nanda kumaraiah, Tahsildar, wherein the Tribunal for Disciplinary Proceedings held that charge is proved.

3. In the reference 4<sup>th</sup> read above, a copy of the enquiry report in TEC No.33/2009 has been furnished to Sri K. Nanda kumaraiah, Tahsildar (Retd.) with a direction to submit his representation on the finding of Tribunal for Disciplinary Proceedings for taking further action in the matter.

4. In the reference 5<sup>th</sup> read above, Sri K. Nanda kumaraiah, Tahsildar (Retd.) submitted his representation stating that the trap laid against him was foisted one; as the complainant Sri M. Mukesh developed grudge against him as he recommended for cancelation for license of FP shop of his sister Smt. Sailaja, that he insisted Sri Munaswamy Reddy, former Sarpanch of Anjuru Village (ie, father of complainant) to produce title deed of the lands which were made into plots etc., He has also stated that he had already signed the Pattadar Pass Book and Title Deed and Form 6A on 6.8.2007 and hence no official favour pending at the date of trap ie., on 8.8.2007. The DW-1(Sri D. Venkataiah, Attender gave evidence that the documents were signed on 6.8.2007, but the Tribunal for Disciplinary Proceedings has not taken the same into consideration. He has also stated that on the date of trap ie, on 8.8.2007 the complainant and his mother entered into his house and the mother of complainant asked his wife for water, when his wife went inside to fetch water, the mother of the complainant threw

some currency notes and documents on the dining table which was clearly observed by Smt. K. Suneetha who is neighbour. His wife and Smt. Suneetha shouted at them loudly and on hearing that, he came out from the front room and the complainant and his mother hurriedly went out of his house and the Anti-Corruption Bureau officials came and forced him to pick up the currency notes and conducted chemical test. Smt. K. Suneetha, W/o. K. Jagadesh is eye witness in the case. He has stated that his wife Smt. K. Navaneetha given evidence as DW-2, but the Tribunal for Disciplinary Proceedings has not taken her defence into consideration. He has further stated that the complainant and his family members bore grudge against him and he has given all the evidence before the Tribunal for Disciplinary Proceedings, but the Tribunal for Disciplinary Proceedings has not discussed all the points raised by him and gave findings that charge is proved. He has requested to consider his representation and reject the findings of the Tribunal for Disciplinary Proceedings and exonerate him from the charge.

5. Government have examined the contentions of Sri K. Nandakumaraiah, Tahsildar (Retired) with reference to material available and observe that the complainant Sri M. Mukesh met at the residence of Sri K. Nandakumaraiah, Tahsildar on 8.8.2007 at about 12.15 PM where the Accused Officer accepted the bribe of Rs.6,000/- from the complainant. After that, the complainant gave pre-arranged signal and the ACB officials rushed into the residence of Accused Officer at 12.30 P.M, where the Accused Officer was found sitting across the table with files on the table. The phenolphthalein test conducted on his both hands turned into pink colour and the tainted amount was recovered from the top of the table at his residence. His plea that the complainant and his family members & friends bore grudge against him, the mother of complainant came inside his residence and thrown some currency notes and documents on the table and his wife and neighbour shouted at her are not tenable; as there was no voice of the Accused Officer when the trap party entered into the place of offence since the Accused Office was attending to his work. As per the mediators report-II, the complainant alone went into the residence of Accused Officer on 8.8.2007 and the Accused Officer accepted the bribe at about 12.15 PM. Later the mother of the complainant Smt. M. Leelavathamma arrived at the house of the Accused Officer 3.00 PM on 8.8.2007 and met her son and came to know about the trap incident. Regarding his another contention that Smt. K. Suneetha W/o. K. Jagadish, his neighbour witnessed about throwing currency notes by the mother of the complainant, Govt. observe that as per the mediator report-II (post trap proceedings), if she would have present in the house of Accused Officer at the time of trap, the same would have been incorporated by the independent mediators during the post trap proceedings and she was not present at the time of trap and hence the Investigating Officer has not examined her during the trap proceedings and hence the above contentions are afterthought. It is also impossible to imagine that a private person could enter into the residence of Tahsildar and have the nerve to place bribe on the table and foist case against him. The above circumstances clearly go to show that the Delinquent Officer had demanded and accepted the bribe from the complainant. The Tribunal for Disciplinary Proceedings after considering all the oral and documentary evidence, gave its findings that charge is held proved. Hence his contention that the findings of the Tribunal for Disciplinary Proceedings are contrary to the facts of the case are not correct and devoid of merit.

6. Government after careful consideration of the matter, have provisionally decided to impose the punishment of withholding entire pension and gratuity in full on Sri K. Nandakumaraiah, Tahsildar (Retd.), as per rule 9 of A.P. Revised Pension Rules, 1980 read with Rule 7 of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, since the charge held proved against him and issued show cause notice to offer his further explanation if any vide reference 6<sup>th</sup> read above. In reply, Sri K. Nandakumaraiah, Tahsildar (Retd.) has submitted his representation and requested to drop further action against him vide reference 7<sup>th</sup> read above. The Accused Officer has not put forth any new grounds for consideration.

7. Government after careful examination of the matter have decided to confirm the provisional decision i.e to impose the punishment of withholding entire pension and gratuity in full as the Charged Officer has not putforth any new grounds for consideration. Accordingly, Government hereby order to impose penalty of withholding entire pension and gratuity in full permanently against Sri K. Nandakumaraiah, Tahsildar (Retd.), as per rule 9 of A.P. Revised Pension Rules, 1980 read with Rule 7 of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989.

8. The Chief Commissioner of Land Administration, AP, Hyderabad shall take necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**J.C.SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)**

To

Sri K. Nanda kumaraiah, Tahsildar (Retd.), K.V.B.Puram Mandal, Chittoor District through the Chief Commissioner of Land Administration, A.P, Hyderabad.

The Chief Commissioner of Land Administration, A.P, Hyderabad

Copy to:

The Collector, Chittoor District.

The Accountant General, Andhra Pradesh, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.

The File

**//Forwarded :: By Order //**

**SECTION OFFICER.**